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REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

The Office Action rejected claims 1-3, 6-8, 11, 14-18, 20-22 and 24 under 35 U.S.C. §102(e) as being anticipated by Holt. Applicant respectfully disagrees.

A Preliminary Amendment file concurrently with this application and acknowledged in the PAIR system as being received by the Patent Office cancelled claims 1-15 from this application because those claims are subject matter claimed in the parent to this application, Serial No. 09/995,971. The rejection of claims 1-3, 6-8, 11, 14 and 15 is thereby traversed.

It is established law that in order to anticipate a claimed invention, a prior art reference must teach every feature of the claimed invention.

The rejection of claim 16 under 35 U.S.C. §102(e) is therefore not supported.

Holt teaches routing a call to a voice mail system using subscriber information maintained in a database associated with a service control point in order to avoid maintaining subscriber information on the service node (Column 2, lines 15-16). Once a call is received by the service node and the service node determines that a voice mail call should be originated, the service node sends a message including a voice mail indicator and a subscriber identifier to the service switching point. The service switching point uses the subscriber identifier to query the service control point for routing information. The service control point determines the voice mail access number associated with the subscriber using a database associated with the service control point. The service control point responds to the service switching point by providing a voice mail access number associated with the subscriber and setting the original called party number and the last redirecting party number to the directory number of the subscriber. The service switching point completes the call from the service node to the voice mail system using the information provided by the service control point.

Holt therefore fails to teach a system for enabling a requesting party to **initiate a telephone call directly to a voice mail box**. In accordance with Holt, a call placed to the subscriber is first routed to a service node 50, which is an intelligent peripheral that is part of a call management service, such as call screening or call forwarding (Column 2, lines 23-24). Consequently, the subscriber is not intending to access a voice mail system but is rather victim of a call forwarding or call screening service and is only routed to the voice mail system after the calling party dials the subscriber

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number. It is therefore respectfully submitted that Holt teaches a completely different invention that is intended to be used in a completely different way.

It is further respectfully submitted that Holt fails to teach or suggest a call control node configured as a virtual switching point as claimed in claim 16. Holt teaches the use of a standard service switching point (SSP) and neither teaches nor suggests a virtual service switching point as claimed in claim 16. For those reasons alone, the rejection of claim 16 under 35 U.S.C. §102(c) is traversed.

However, in order to ensure that claim 16 distinguishes clearly and unequivocally over the known prior art, claim 16 is amended to claim that the message received by the virtual service switching point is a connection request message sent in response to a request to access the voice mail box by a calling party. A request to access the voice mail box by a calling party is neither taught nor suggested in any known prior art.

With respect to claims 17, 18, 20-22 and 24, the arguments set forth above apply and the rejection of those claims is traversed.

Claim Rejections – 35 U.S.C. § 103

The Office Action rejected claims 4 and 9 under 35 U.S.C. §103(a) as being unpatentable over Holt in view of Brunson.

As noted above, claims 4 and 9 were cancelled in a Preliminary Amendment filed concurrently with this application and the rejection of those claims is traversed.

The Office Action rejected claims 5, 10, 19 and 23 under 35 U.S.C. §103(a) as being unpatentable over Holt in view of Russell. As noted above, claims 5 and 10 are cancelled from this application and the rejection of claims 5 and 10 is traversed.

With respect to claims 19 and 23, those claims depend from amended claim 16 and the rejection of claims 19 and 23 is traversed for reasons set forth above.

The Office Action rejected claims 12, 13, 25-28 and 35-40 under 35 U.S.C. §103(a) as being unpatentable over Holt in view of Tov et al.

Tov et al. teach personalized visitor pages for the worldwide web. In paragraph 41, Tov et al. teach a personal page area that contains operations a visitor can perform in order to communicate with the subscriber. The operations are enabled using a plug-in, java applet, link or button that creates a multimedia-over-IP and/or voice-over-IP call to the subscriber or calls a PSTN phone or a Wireless Device, or sends messages to an Instant Messaging Device or sends messages to Pagers or to devices that support short message service, etc. The visitor, when accessing his personal visitor page, may decide to click this button or link, where he/she will be connected (using a voice or multimedia call) to the subscriber or a subscriber service, such as voice mail, without having to become a subscriber him/herself.

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As described by Tov et al., clicking the button or link will create a multimedia-over-IP or a voice-over-IP call. The call is directed to the subscriber. Tov et al. neither teach nor suggest any method for directly accessing a voice mail box of the subscriber. As would be understood by any person skilled in the art, the voice mail box is accessed by default in the normal way if the subscriber is unavailable or subscribes to a call forwarding service such as described by Holt. Even then, access to the voice mail box is only possible if the call is directed to an IP-TDM gateway in a manner well known in the art.

With respect to claims 12 and 13, those claims were previously cancelled and the rejection is traversed.

With respect to claim 25, no combination of Holt and Tov et al. teaches a click-to-voice mail notification sent from a web page, much less a web page that relays the connection request message to a call control application. The rejection of claim 25 is thereby traversed. Claim 25 is amended, however, to correct two typographical errors.

With respect to claim 26, neither Tov et al. nor Holt teach a proxy service and the rejection of claim 26 is traversed.

With respect to claim 27, claim 27 claims that the connection request contains the directory number of the requesting party. Holt fails to teach or suggest a connection request message. Furthermore, Holt simply teaches forwarding a call from a service node to a voice mail box while the calling party is on the line. Consequently, the query and response messages taught by Holt do not include the directory number of the calling party because the calling party has an established connection to the service node. The rejection of claim 27 is thereby traversed.

With respect to claim 28, claim 28 is amended to correct a typographical error in which the words "associated with" were inadvertently omitted from the claim. Amended claim 28 claims a database adapted to supply the proxy server with the directory number of the VMS associated with the directory number of the service subscriber in response to a query. Holt teaches that a SCP supplies the directory number of the VMS associated with the service subscriber. Holt neither teaches nor suggests a proxy server. The rejection of claim 28 thereby traversed.

The Office Action rejected claims 30, 31 and 33 under 35 U.S.C. §103(a) as being unpatentable over Holt in view of D'Apuzzo et al.

D'Apuzzo et al. teach a method and system for providing nonpublished number messaging service. In accordance with D'Apuzzo et al., a calling party calls a directory assistance operator in an attempt to reach a nonpublished number. The directory assistance operator cannot provide the calling party with the number. However, D'Apuzzo et al. propose a service in which the calling party can leave a voice mail message for the service subscriber with the nonpublished number. As taught in Column 5,

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lines 16-18, "At the appropriate time, the caller leaves a message for the called party, which is later delivered to the called party (step 178)". As would be understood by any person skilled in the art, the VMS Provider 114 does not connect the calling party directly with the voice mail box of the subscriber. Rather, the VMS Provider 114 simply provides a voice recording medium on which the calling party leaves a voice message. As further explained in Column 5, lines 19-21, the VMS Provider 114 can deliver a message to the called party in a variety of ways. It is therefore abundantly clear to any person skilled in the art that the VMS Provider 114 does not connect the calling party to the voice mail box of the called subscriber.

Claim 30 claims a system for providing a directory service with a direct to voice mail option. This is neither taught nor suggested by any combination of Holt or D'Apuzzo et al. Furthermore, the system taught by D'Apuzzo et al., as explained above, permits a calling party to access a directory operator but not to a directory service that permits a requesting party to communicate an identifier used to locate a directory record associated with the voice mail system service subscriber to provide the requesting party with an option to be connected directly to the voice mail system service subscriber's voice mail box after the record is located.

As explained above, D'Apuzzo et al. teach that a human operator can provide an option to permit a calling party to leave a voice message which is later delivered to the service subscriber having an unpublished number. This teaches directly away from the invention claimed in claim 30 and the rejection of claims 30, 31 and 33 is thereby traversed.

The Office Action rejected claims 32 and 34 under 35 U.S.C. §103(a) as being unpatentable over Holt in view of D'Apuzzo et al. and Tov et al.

Claim 32 is amended to correct a typographical error in which a redundant "is" is deleted from line 2. Claim 32 claims that the directory service is a directory service application instantiated on a worldwide web server adapted to interact with the requesting party through the Internet. Holt teaches a system instantiated in the public switched telephone network. D'Apuzzo et al. likewise teach a system instantiated in the public switched telephone network using a human operator and a voice recording system.

Tov et al. teach launching VOIP calls directly from a web page. There is no motivation to combine the references and no suggestion that they could be combined. In any event, no combination of the references teaches a directory service instantiated on a worldwide web server adapted to interact with the requesting party through the Internet.

The rejection of claim 32 is thereby traversed.

With respect to claim 34, none of the cited references teach a call control node comprising a call control application that is adapted to interface with an Internet Protocol network and further adapted to provide control functions to the call control node.

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There is no basis for the assertion in the Office Action that the CCN or CCA are taught or suggested by D'Apuzzo et al. in combination with Holt. The rejection of claim 34 is thereby traversed.

The Office Action rejected claim 29 under 35 U.S.C. §103(a) as being unpatentable over Holt combined with Tov et al. and further in view of Russell. For reasons set forth above with respect to claims 28, 21 and 16, the rejection of claim 29 is likewise traversed.

In view of the amendments made to claims 16, 25, 28 and 32, and for reasons set forth above in detail, claims 16-40 that remain pending in this application are considered to be in a condition for immediate allowance. Favourable reconsideration and early issuance of a Notice of Allowance are therefore requested.

Respectfully submitted,
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